

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

THE POND GUY, INC., a Michigan corporation, and
JASON G. BLAKE d/b/a The Pond Guy, a Michigan
resident,

Plaintiffs,

v.

AQUASCAPE DESIGNS, INC., an Illinois
corporation, and GREGORY G. WITTSTOCK,
an Illinois resident,

Defendants.

Case No. 2:13-cv-13229-NGE-DRG

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INDEX OF EXHIBITS

Plaintiffs' Motion for Preliminary Injunction

<u>Exhibit</u>	<u>Document</u>
1	October 5, 2013, Defendants' advertisement during the ESPN television program "College Game Day"
2	November 6, 2013 Affidavit of Jason Blake
3	May 20, 1998 domain name www.thepondguy.com
4	January 18, 2000 incorporation of The Pond Guy
5	March 4, 2003 The Pond Guy® trademark registration
6	"Our Company" from Aquascape Designs, Inc.'s website

- 7 Wittstock's blog: "What Are Your Business' Consistent and Repeatable Marketing Messages"
- 8 Example of one of the "Google searchable Facebook Notes" discussed by Wittstock
- 9 Wittstock's blog: "Put the Ben's Before the Benjamin's"
- 10 Wittstock's blog: "Greg Wittstock, The Pond Guy, of Aquascape Invites You to..."
- 11 Link: www.youtube.com/watch?v=jfBbu_S3pq8&feature=youtu.be
- 12 Posts in *Inc. Magazine*
- 13 Wittstock's blog: "The Pond Guys, Animal Planet & You!"
- 14 "Pond Guys Peer Group" booklet
- 15 "Winter Water Garden Workshop and Bootcamp 2013 Review"
- 16 Warm Springs Productions' Intent-To-Use Trademark Application
- 17 Plaintiffs' Opposition to Intent-To-Use Trademark Application
- 18 U.S. Patent & Trademark Office Action
- 19 fullserviceaquatics.com author review of the Winter Water Garden Workshop and Bootcamp 2013
- 20 fullserviceaquatics.com author review of Pondemonium 2013
- 21 August 30, 2001 and November 23, 2005 cease and desist letters to Defendants
- 22 *J.G. Wentworth, S.S.C. Ltd. P'ship v. Settlement Funding LLC*, No. 06-0597, 2007 U.S. Dist. LEXIS 288, at *13, 17 (E.D. Pa. Jan. 4, 2007), unpublished opinion